



**In the United States Patent and Trademark Office
Board of Patent Appeals and Interferences (37 CFR 1.191)**

In re application of: James P. Elia

Docket No.: Case No. 1

Serial No. 09/064,000

Group No.: 1647

Filed: April 21, 1998

Examiner: Daniel C. Gamett

For: METHOD FOR GROWTH OF SOFT TISSUE

MAIL STOP APPEAL BRIEF-PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Appellant hereby submits an Appeal Brief, in furtherance of the Notice of Appeal mailed on July 31, 2008, and received by the Patent and Trademark Office on August 4, 2008, in the above-identified application.

The item(s) checked below are appropriate:

1. Status of Applicant/Appellant

This application is on behalf of

☒ a small entity

2. Fee for Filing Appeal Brief

Pursuant to 37 CFR 1.17(f) the fee for filing the Appeal Brief is:

☒ a small entity

Appeal Brief fee due: \$ 255.00

☒ A filing fee in the amount of \$250 for the Notice of Appeal filed April 18, 2006 was paid; therefore, pursuant to MPEP 1204.01, \$250.00 is deducted from the total fee due for the instant Appeal Brief.

☐ Notice of Appeal fee due with this request

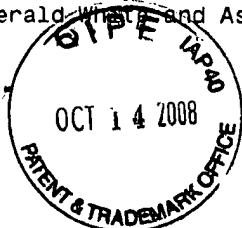
\$ 5.00

3. Extension of Term

a) ☐ Extension requested:

<u>Extension (months)</u>	<u>Fee for small entity</u>
one month	\$ 60.00
two months	\$ 230.00
three months	\$ 525.00
four months	\$ 820.00
five months	\$1,115.00

☐ Request Extension for _____ month(s)



Appeal Brief Transmittal

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3. Extension of Term (cont.)

or

b) ☒ No Extension requested.

Extension fee due: \$ - - -

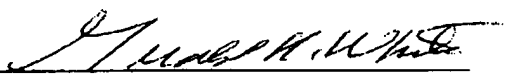
4. Total Fee Due☒ The total fee due is:☒ Appeal Brief fee \$ 5.00☐ Extension fee \$ - - -

Total Fee Due: \$ 5.00

5. Fee Payment☒ Attached is Check No. 1638 in the sum of \$ 5.00

Date: October 6, 2008

Reg. No.: 26,611


Signature of attorney

Gerald K. White

Type or print name of attorney

CERTIFICATE OF MAILING

I hereby certify that the attached APPELLANT'S APPEAL BRIEF was deposited as First Class Mail, in an envelope addressed to Mail Stop APPEAL BRIEF-PATENTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 6th day of October, 2008.

Dated: October 6, 2008
Printed Name: Gerald K. White

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